

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

-----In the Matter of----- )  
 )  
PUBLIC UTILITIES COMMISSION )  
 )  
Instituting a Proceeding to )  
Investigate the Proposed Tariffs )  
Filed by Hawaiian Electric )  
Company, Inc., Hawaii Electric )  
Light Company, Inc., and Maui )  
Electric Company, Limited, )  
Governing Distributed Generation )  
and Other Related Matters. )  
\_\_\_\_\_ )

DOCKET NO. 2006-0497

ORDER NO. 24158

RECEIVED  
2008 APR 21 A 3:38  
DIV. OF CONSUMER ADVOCACY  
DEPT. OF COMMERCE AND  
CONSUMER AFFAIRS  
STATE OF HAWAII

Filed April 18, 2008  
At 1 o'clock P.M.

Karen Higashi  
Chief Clerk of the Commission

ATTEST: A True Copy  
KAREN HIGASHI  
Chief Clerk, Public Utilities  
Commission, State of Hawaii

K. Higashi

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

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PUBLIC UTILITIES COMMISSION	)	Docket No. 2006-0497
	)	
Instituting a Proceeding to	)	Order No. 24158
Investigate the Proposed Tariffs	)	
Filed by Hawaiian Electric	)	
Company, Inc., Hawaii Electric	)	
Light Company, Inc., and Maui	)	
Electric Company, Limited,	)	
Governing Distributed Generation	)	
and Other Related Matters.	)	
<hr/>	)	

ORDER

By this Order,<sup>1</sup> the commission: (1) approves the Parties' voluntary and intentional waiver of the evidentiary hearing, previously scheduled for the week of April 28, 2008; and (2) concludes that the procedures set forth in Schedule B of Order No. 23987, filed on January 29, 2008, are moot.

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<sup>1</sup>The Parties in this proceeding are: (1) Hawaiian Electric Company, Inc., Hawaii Electric Light Company, Inc., and Maui Electric Company, Limited; (2) the Department of Commerce and Consumer Affairs, Division of Consumer Advocacy, an ex officio party pursuant to Hawaii Revised Statutes § 269-51 and Hawaii Administrative Rules § 6-61-62(a); (3) Hawaii Renewable Energy Alliance; (4) Chapeau, Inc., dba BluePoint Energy, Starwood Hotels and Resorts Worldwide, Inc., and Hawaii Health Systems Corporation; (5) JW Marriott Ihilani Resort & Spa, Waikoloa Marriott Beach Resort & Spa, Maui Ocean Club, and Wailea Marriott; (6) Kahala Senior Living Community, Inc.; and (7) the United States Combined Heat and Power Association ("USCHPA"). The Parties, with the exception of USCHPA, are collectively referred to as the "Non-USCHPA Parties."

I.

Background

Order No. 23987, filed on January 29, 2008, sets forth alternative procedural schedules to govern the remainder of the standby service portion of this proceeding. As proposed by the Parties and subsequently adopted by the commission, Schedule A sets forth the remaining schedule in the event that a settlement agreement is reached, while Schedule B sets forth the remaining schedule in the event that no settlement agreement is reached. As a result, Schedules A and B provide:

Schedule A, Proposed Remaining Schedule:  
Stipulated Settlement Agreement Reached

Settlement Agreement	March 7, 2008
Commission Hearing on the Settlement Agreement	March 24, 2008, 9:00 a.m., Commission's Hearing Room

Schedule B, Proposed Remaining Schedule:  
Stipulated Settlement Agreement Not Reached

Non-HECO Parties' Responses to the 3 <sup>rd</sup> set of Information Requests	March 24, 2008
HECO Companies' Reply Statement of Position	April 4, 2008
Prehearing Conference	Week of April 21, 2008, Hearing Room
Evidentiary Hearing	Week of April 28, 2008, Hearing Room
Parties' simultaneous Proposed Findings of Fact and Conclusions of Law ("FOFs/COLs")	Four weeks after transcripts
Parties' simultaneous Responses to Proposed FOFs/COLs	Three weeks after Proposed FOFs/COLs

Order No. 23987, Section III, at 8-9.

On March 7, 2008, the Parties filed their Stipulation Regarding Hearing and Commission Approval Concerning Schedule SS Standby Service Tariffs, reflecting their settlement of the standby service issue.<sup>2</sup> By their Stipulation, the Parties state in relevant part:

1. The parties agree that the HECO Companies' proposed Schedule SS Standby Service tariffs, attached as Exhibit A, are reasonable and should be approved by the Commission. Exhibit B provides the derivation of the standby service rates included in Exhibit A.
2. Following the Commission Hearing on Settlement Agreement, scheduled to be held March 24, 2008, 9:00 a.m., at the Commission's Hearing Room, the parties do not request additional procedural steps or an evidentiary hearing with respect to the HECO Companies' proposed Schedule SS Standby Service tariffs.

Stipulation, at 4 (footnote and text therein omitted) (emphasis added).

## II.

### Discussion

Consistent with Schedule A, the Parties timely filed their Stipulation on March 7, 2008, and the hearing on the Stipulation was held as scheduled on March 24, 2008, 9:00 a.m. The purpose of the hearing, as orally proposed by the Non-USCHPA Parties at the status conference held on January 18, 2008, was "to discuss the basis of the . . . settlement agreement and to respond to any questions from the commission, in lieu of the

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<sup>2</sup>Stipulation Regarding Hearing and Commission Approval Concerning Schedule SS Standby Service Tariffs; Exhibits A - B; and Certificate of Service (collectively, "Stipulation").

prehearing conference, evidentiary hearing, and post hearing filings."<sup>3</sup> Moreover, by their Stipulation, the Parties affirmatively state that they "do not request additional procedural steps or an evidentiary hearing with respect to the HECO Companies' proposed Schedule SS Standby Service tariffs."<sup>4</sup>

In effect, the Parties represent that, with the timely filing of their Stipulation, Schedule A renders Schedule B moot. Under the circumstances, the commission: (1) approves the Parties' voluntary and intentional waiver of the evidentiary hearing, previously scheduled for the week of April 28, 2008; and (2) concludes that the procedures set forth in Schedule B are moot.

### III.

#### Orders

#### THE COMMISSION ORDERS:

1. The Parties' voluntary and intentional waiver of the evidentiary hearing, previously scheduled for the week of April 28, 2008, is approved.

2. The procedures set forth in Schedule B of Order No. 23987, filed on January 29, 2008, are moot.

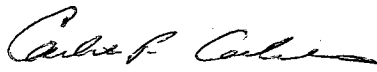
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<sup>3</sup>Order No. 23987, at 4-5.

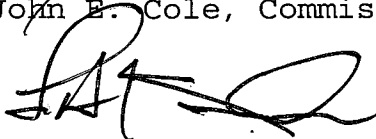
<sup>4</sup>Stipulation, at 4.

DONE at Honolulu, Hawaii APR 18 2008.


PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By   
Carlito P. Caliboso, Chairman

By   
John E. Cole, Commissioner

By   
Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:

  
Michael Azama  
Commission Counsel

2006-0497.cp

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 24158 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

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Certificate of Service

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DATED: APR 18 2008